

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
ZOILA IGLESIAS, individually and as next friend of J.R.  
and K.R. infants,

Plaintiffs,

-against-

**ANSWER TO CROSS-  
CLAIMS**

08 CV 1595 (AKH)

JOHN MATTINGLY, individually and as Commissioner,  
HELEN COLON, individually and as caseworker,  
CARYNE MORENCY, individually and as supervisor;  
TRACEY LISSIMORE, individually and as manager;  
TAMIKA McCOY, individually and as caseworker,  
FLORENCE UBA, individually and as supervisor, LEAKE  
& WATTS SERVICES, Inc., LIANNE CLARK PARRIS,  
individually and caseworker, ZOLA VIOLA, individually  
and as supervisor, COALITION FOR HISPANIC  
SERVICES, Inc., CITY OF NEW YORK, and GLADYS  
CARRION, as Commissioner,

Defendants.

----- X  
  
Defendants City of New York, John Mattingly, Helen Colon, Tracey Lissimore, and  
Caryne Morency (collectively, "City Defendants"), by their attorney, Michael A. Cardozo,  
Corporation Counsel of the City of New York, for their Answer to the Cross Claims brought by  
Lianne Clarke Parris, Zola Viola, Coalition for Hispanic Family Services, as set forth in their  
answer dated June 9, 2008, respectfully allege as follows:

Deny the allegations set forth in each and every Crossclaim.

**FIRST AFFIRMATIVE DEFENSE**

1. The Crossclaim fails to state a claim upon which relief can be granted.

**SECOND AFFIRMATIVE DEFENSE**

2. City Defendants have not violated any of Co-Defendants Lianne Clarke Parris's, Zola Viola's, Coalition for Hispanic Family Services's rights, privileges or immunities under the Constitution or laws of the United States or the State of New York or any political subdivision thereof, nor have City Defendants violated any act of Congress providing for the protection of civil rights.

**THIRD AFFIRMATIVE DEFENSE**

3. Cross-Plaintiff has failed to comply with a condition precedent.

**FOURTH AFFIRMATIVE DEFENSE**

4. Any injuries alleged in the in the Crossclaim were caused, in whole or in part, by Co-Defendants Lianne Clarke Parris', Zola Viola's, Coalition for Hispanic Family Services's own culpable and/or negligent conduct and/or the conduct of non-parties or third parties and not the proximate result of any act of City Defendants.

**WHEREFORE,** City Defendants respectfully request that this Court enter judgment dismissing the Crossclaim in its entirety, together with the costs and disbursements of this action, and for such other and further relief as the Court may deem just and proper.

Dated: New York, New York  
June 18, 2008

MICHAEL A. CARDOZO  
Corporation Counsel of the  
City of New York  
Attorney for Defendants City of New York, John  
Mattingly, Helen Colon, Tracey Lissimore, and  
Caryne Morency  
100 Church Street, Room 2-306  
New York, New York 10007  
212-788-0957

By: s/STEVEN D. WEBER  
STEVEN D. WEBER  
Assistant Corporation Counsel